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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 U.S. BANK N. A., AS TRUSTEE F/B/O
10 HOLDERS OF STRUCTURED ASSET
11 MORTGAGE INVESTMENTS II INC.,
12 BEAR STEARNS ALT-A TRUST,
13 MORTGAGE PASS-THROUGH
14 CERTIFICATES, SERIES 2006-3,

Plaintiff,

15 v.

16 CAPITOL REEF REVOCABLE TRUST,

Defendants

Case No. 2:16-CV-02774-RFB-PAL

ORDER

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18 On April 21, 2017, this Court certified a question of law regarding NRS 116's notice
19 requirement to the Nevada Supreme Court in Bank of N.Y. Mellon v. Star Hill Homeowners Ass'n,
20 Case No. 2:16-cv-02561-RFB-PAL, ECF No. 41. The Court finds that the outcome of that decision
21 will impact the pending motions in this case. For reasons of judicial economy and to avoid
22 inconsistent decisions or partial decisions on some but not all issues, the Court will not consider
23 any further motions until the parties have had the opportunity to receive and address the Nevada
24 Supreme Court's opinion on this issue.

25 **IT IS THEREFORE ORDERED** that this case is hereby STAYED.

26 **IT IS FURTHER ORDERED** that Defendant Capitol Reef Revocable Trust Motion to
27 Dismiss and Motion for Summary Judgment are DENIED without prejudice. ECF No. 14, 33. The
28 moving party shall have 21 days from the date of the Nevada Supreme Court's decision on the

1 certified question to file a modified Motion for Summary Judgment or to file a notice renewing
2 the previously filed motion. The opposing party shall have 21 days to respond. The moving party
3 shall have 14 days to reply.

4 **IT IS FURTHER ORDERED** that Plaintiff U.S. Bank N.A Motion for Summary
5 Judgment is DENIED without prejudice. ECF No. 30. The moving party shall have 21 days from
6 the date of the Nevada Supreme Court's decision on the certified question to file a modified Motion
7 for Summary Judgment or to file a notice renewing the previously filed motion. The opposing
8 party shall have 21 days to respond. The moving party shall have 14 days to reply

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10 **DATED** this 22nd day of March, 2018.

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13 **RICHARD F. BOULWARE, II**
14 **UNITED STATES DISTRICT JUDGE**
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